

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**November 3, 2008**

The Tippecanoe County Commissioners met on Monday, November 3, 2008 at 10:00 a. m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President Ruth E. Shedd, Vice President John L. Knochel, and Member KD Benson. Also present were: Attorney Doug Masson, Commissioner's Assistant Frank Cederquist, Auditor Jennifer Weston, and Secretary Jennifer Prange.

Commissioner Ruth Shedd called the meeting to order and led the pledge of allegiance.

**APPROVAL OF MINUTES**

- Commissioner Knochel moved to approve minutes from October 20, 2008 meeting, second by Commissioner Shedd; motion carried.

**PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS**

Commissioner's Assistant Frank Cederquist recommended approval of accounts payable vouchers for October 23, 24, 30, 31, and November 3, 2008 as submitted without exceptions

- Commissioner Benson moved to approve accounts payable vouchers as presented, second by Commissioner Knochel; motion carried.

**DEMAND LETTER – GNA**

Commissioner Knochel reported the commissioners received a demand letter from GnA Assessment Professionals for payment of work completed in 2007.

County Assessor Samantha Steele stated the work was not completed in 2007 and the amount being requested was the retainer when the contract was signed with GnA. Assessor Steele does not intend to pay GnA for uncompleted work and suggested the commissioners could pay her from the General Fund, but she will not sign-off on payment from the Reassessment Fund.

Commissioner Benson confirmed Ginny Whipple has completed the trending work in this county and was recognized by the Department of Local Government Finance for outstanding work.

Ginny Whipple stated the county assessor provided a hostile work environment but the work was completed to the contract specifications. She agreed there were a few mistakes made in her work, but the county assessor refused to approve her study when completed and she should not be penalized for that reason.

Commissioner Knochel said the taxpayers are caught in the middle of this situation and they deserve to know the amount of their taxes in a timely manner. He requested the county attorney review the guidelines for the Reassessment Fund in an effort to pay the claim by the commissioners. Commissioner Knochel is concerned with the delay again this year with trending.

Assessor Steele explained trending is not delayed and by the end of business today the study will be submitted to the DLGF for approval.

Commissioner Knochel solicited comments from Councilmember Murtaugh regarding the payment.

Councilmember Murtaugh agrees he agrees the work was performed before the contract was terminated and therefore the bill should be paid.

- Commissioner Knochel moved to pay the claim from the General Fund and research possibilities to reimburse the General Fund, second by Commissioner Benson; motion carried.

### ***PRESENTATION OF CONSTRUCTION DOCUMENTS - DLZ***

Eric Ratts from DLZ presented construction documents for the Juvenile Center to include specifications and drawings. Steve Habben from Kettlehut Construction provided the cost estimate for the project. The total probable construction costs are \$17,346,000. The schedule is as follows:

November 12<sup>th</sup> 2008 – Council Review  
 November 20<sup>th</sup> 2008 – Pre-Bid Meeting  
 December 11<sup>th</sup> 2008 – Bids received by the Commissioners  
 December 15<sup>th</sup> 2008 – Bids presented to the Commissioners  
 January/February 2009 – Financing  
 March – Begin Construction

- Commissioner Knochel moved to accept the construction documents as presented, second by Commissioner Benson; motion carried.

### ***CHANGE ORDER***

Commissioner's Assistant Frank Cederquist presented a change order for the Community Corrections Exterior Veneer Project in the amount of \$2,900.

- Commissioner Knochel moved to approve the change order in the amount of \$2,900, second by Commissioner Benson; motion carried.

### ***HOOSIER HEARTLAND – Mark Davis***

Mark Davis from the Hoosier Heartland Industrial Corridor, Inc. presented a plaque to the commissioners for their dedication through the building process for the Hoosier Heartland Corridor. He stated the project which has extended over several years has always had the backing of the Tippecanoe County Commissioners and their support and dedication have been most helpful.

### ***HIGHWAY – Opal Kuhl***

#### **Award Motor Grader Bid**

Director Opal Kuhl recommended acceptance of the bid from MacAllister for lease of the machines and the financing package. The amount of the contract is \$222,892; the lease is for \$65,629.16 per year for four years. MacAllister will purchase the machines at the end of the contract for \$160,000 each.

- Commissioner Knochel moved to accept the bids from MacAllister, second by Commissioner Benson; motion carried.

Change Order #1 from Wirt & Yates, Inc. for 2008 Culvert Replacement Project to add four guardrail end treatments in the amount of \$4,600. The new contract amount is \$1,617,568.28

- Commissioner Knochel moved to approve Change Order #1 with Wirtz & Yates in the amount of \$4,600, second by Commissioner Benson; motion carried.

Director Kuhl recommended approval of Ordinance 2008-21-CM regarding speed limits. The ordinance adjusts the scheduled descriptions of the locations of existing speed zones to conform to annexations by the cities of Lafayette and West Lafayette. Speed zones will be deleted from the traffic schedule no longer in the Tippecanoe County Highway system due to the annexations. It also adds existing signs which for unknown reasons were not added to the schedule.

- Commissioner Knochel moved to approve Ordinance 2008-21-CM, second by Commissioner Benson; motion carried.

Auditor Weston recorded the vote:

Knochel	Yes
Benson	Yes
Shedd	Yes

Ordinance 2008-21-CM passed on first reading 3-0.

- Commissioner Knochel moved to suspend the rules and hear Ordinance 2008-21-CM on second reading, second by Commissioner Benson; motion carried.
- Commissioner Knochel moved to hear Ordinance 2008-21-CM on second reading, second by Commissioner Benson; motion carried.

Auditor Weston recorded the vote:

Knochel	Yes
Benson	Yes
Shedd	Yes

Ordinance 2008-21-CM passed on second and final reading 3-0.

A Grant of Right-of-Way for a parcelization was recommended for approval.

- Commissioner Knochel moved to accept the grant of right-of-way as presented, second by Commissioner Benson; motion carried.

## ***REZONES***

### **Z-2383 BILL J. & MELANIE K. GARDINER (A & R2 to HB); ORDINANCE 2008-22-CM**

- Commissioner Knochel moved to hear Rezone Z-2383 – Bill J. & Melanie K. Gardiner (A & R2 to HB), Ordinance 2008-22-CM, second by Commissioner Benson; motion carried.

(quote)

October 15, 2008

Ref. No.: 08-331

Tippecanoe County Commissioners  
20 North 3rd Street  
Lafayette, IN 47901

**CERTIFICATION**

**RE: Z-2383-- BILL J. & MELANIE K. GARDINER (A & R2 to HB):**

Petitioners are requesting rezoning of 2.666 acres, being parts of Lots 1 through 6 in Bluebird Estates, located near the northeast corner of SR 43 N and CR 600 N, Tippecanoe 22 (SW) 24-4. CONTINUED FROM THE AUGUST APC MEETING AT PETITIONERS' REQUEST.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on October 15, 2008 the Area Plan Commission of Tippecanoe County voted 2 yes - 11 no on the motion to rezone the subject real estate from A & R2 to HB. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed rezoning ordinance be DENIED for the property described in the attachment.

Public Notice has been given that this petition will be heard before the Tippecanoe County Commissioners at their November 3, 2008 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

/s/Sallie Dell Fahey  
Executive Director

(unquote)

Joe Bumbleberg spoke on behalf of the petitioners regarding the proposed rezone. The petitioner has requested the rezone of 2.66 acres located at the intersection of State Road 43 and 600 on the Northeast corner for Highway Business. Mr. Bumbleberg stated the proposed property is an excellent location for a business but will require a great deal of planning and money to complete the project. Several problems need addressed and before any future investments are made the petitioner would like to know the property can be rezoned Highway Business.

**Public Comment**

None

APC Director Sallie Fahey stated the plat is part of the adopted Battle Ground plan which may be a prime location for commercial business after sanitary sewer and water have been established. APC staff agrees until the problems are resolved and the infrastructure to support commercial use is available, the site should remain residential. Director Fahey and staff agree an entrance on State Road 43 is unsafe.

Auditor Weston recorded the vote:

Benson	Yes
Shedd	No
Knochel	Yes

Ordinance 2008-22-CM passes 2-1.

#### **Z-2389 JONATHAN ALAN SWISHER (R1 & A to A); ORDINANCE 2008-23-CM**

- Commissioner Benson moved to table the request until the November 17, 2008 Commissioner's meeting, second by Commissioner Shedd; motion carried.

#### ***GRANTS – Laurie Wilson***

Grant Coordinator Laurie Wilson confirmed grant funds were received for the Local Emergency Response Plan in the amount of \$14,520. The reimbursement funds were from a grant completed in December 2006 for the county-wide Hazardous Materials Emergency Response Plan.

Approval was recommended to accept funds in the amount of \$12,464.96 for the Community and Family Resource Center (CFRC). Initially, the CFRC applied for \$77,000 from the Indiana Criminal Justice Institute. Ms. Wilson also recommended approval of an agreement with the county and CFRC to distribute the grant funds.

- Commissioner Knochel moved to accept grant funds for the CFRC in the amount of \$12,464.96, second by Commissioner Benson; motion carried.

Ms. Wilson requested permission to apply for grant funds for Superior Court in the amount of \$41,750 for a Byrne Grant.

- Commissioner Knochel moved to grant permission to apply for the Byrne Grant for Superior Court 3, second by Commissioner Benson; motion carried.

#### ***MAINTENANCE - Mike Haan***

Maintenance Director Mike Hahn recommended approval to purchase an emergency generator from Huston Electric for Community Corrections.

- Commissioner Knochel moved to accept the quote from Houston Electric for the emergency generator at Community Corrections, second by Commissioner Benson; motion carried.

#### ***HEALTH - Ron Cripe***

Health Department Administrator Ron Cripe requested approval for a Sponsorship Agreement with the March of Dimes. March of Dimes spokesperson Jen Bushore stated November is National Premature Awareness Month and the March of Dimes would like to decorate around the courthouse with purple ribbons on November 13, 2008.

- Commissioner Knochel moved to approve the sponsorship agreement for the March of Dimes, second by Commissioner Benson; motion carried.

***PARKING LOT AGREEMENTS BETWEEN TIPPECANOE COUNTY AND NORTH 3<sup>RD</sup> STREET DEVELOPMENTS LLC***

- Commissioner Knochel moved to table the agreement until the next meeting, second by Commissioner Benson; motion carried.

***EXERCISE OPTION TO PURCHASE ADDITIONAL AMBULANCE & SIGN CONTRACT***

Allen Borck with TEAS stated a letter of intent was sent to Braun for the purchase of five ambulances until council approved the funding. Council has approved funding and approval is now recommended for the purchase of five ambulances.

- Commissioner Knochel moved to approve the contract with Braun for the purchase of additional ambulances, second by Commissioner Benson; motion carried.

***IKON COPIER CONTRACT – WIC***

Commissioner's Assistant Frank Cederquist recommended approval of a contract with IKON Copier Services for WIC. The contract for 60 months will be paid with state allocated WIC funds.

- Commissioner Knochel moved to approve the contract for a copier for WIC, second by Commissioner Benson; motion carried.

***APPLICATIONS TO TIPPECANOE VILLA***

- Commissioner Knochel moved to approve the applications to the Villa for Margaret E. Shadowen, second by Commissioner Benson; motion carried.

***APPOINTMENTS TO THE COMMON WAGE BOARD***

- Commissioner Knochel moved to appoint Dave Lahr, Betty Michael, and Roy Meeks to the Common Wage Board for the renovation of the Highway Garage and parking lot, second by Commissioner Benson; motion carried.

***UNFINISHED/NEW BUSINESS***

None

***REPORTS ON FILE***


Parks & Recreation Board  
Clerk of the Court  
Crystal Creek Boarding Kennel  
Weight & Measures

***PUBLIC COMMENT***

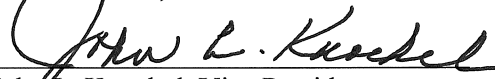
None

- Commissioner Knochel moved to adjourn.

**BOARD OF COMMISSIONERS OF  
THE COUNTY OF TIPPECANOE**



Ruth E. Shedd, President



John L. Knochel, Vice President



KD Benson, Member

**ATTEST:**

  
Jennifer Weston, Auditor